

Staff Summary Report



Hearing Officer Hearing Date: October 2, 2007

Agenda Item Number: 8

SUBJECT: This is a public hearing for a request by **AMERICAN LEASING AND SALES (PL070406)** located at 1769 West University Drive for one (1) use permit.

DOCUMENT NAME: 20071002dsjc02

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request **AMERICAN LEASING AND SALES (PL070406)** (James Lichty/JSL Enterprises Inc., applicant; PS Business Parks, property owner) located at 1769 West University Drive in the GID, General Industrial District for:

ZUP07143 Use permit to allow an office for internet car sales.

PREPARED BY: Jon Christopher, Planner II (480-350-8436)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

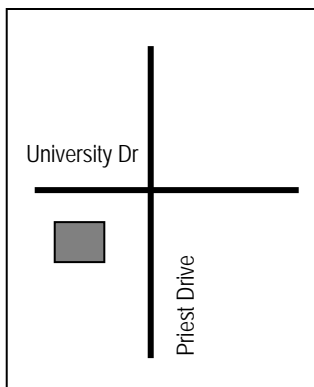
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-6

ADDITIONAL INFO: The applicant is applicant is before the Hearing Officer to request a use permit to allow an office for internet leasing and car sales. To date, no opposition has been received to the request. Staff recommends approval of the use permit as proposed in this application.



PAGES:

1. List of Attachments
2. Comments; Reason for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Floor Plan
6. Staff Photograph(s)

COMMENTS:

American Leasing and Sales is located at PS Business Park in Suite 182. The property is located west of 52nd Street and south of University Drive. The applicant has stated that the use permit will include the short term storage of vehicles purchased at the General Motors and Chrysler factory sales waiting to be shipped to dealers in the Midwest. The retail sales on-site will be minimal; with the major portion of the sales will be done by internet. The inventory on hand would be approximately 40 cars stored in the warehouse. There will be no show rooms and all sales are done by appointment which will limit amount of traffic.

The applicant's suite layout would encompass five (5) offices, a lobby, and the warehouse. The square footage of the offices, lobby, restroom, mechanical rooms and restrooms consist of 1,396 and the square footage of warehouse is 8,000.

Lastly, the employees will be consist of four (4) purchasing and sales agents, one (1) clerk and warehouse manager. The business' hours of operation will be Monday through Friday from 8:00 am to 6:00 pm and Saturday will be from 9:00 am to 1:00 pm.

Use Permit

The Zoning and Development Code requires American Leasing and Sales business to obtain a use permit in the GID, General Industrial District, as well as a use permit to allow an office for internet car sales. The proposed use permit(s) meet all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- c. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the use permit subject to the attached conditions of approval.

REASON(S) FOR APPROVAL:

1. Traffic generated by this use should not be excessive.
2. There will be no apparent damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
3. The use appears to be compatible with the building, site and properties.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is transferable. Should the business be sold, the new owners must reprocess for administrative review.
3. The use permit is valid for the plans and business operation as submitted to and approved by the Hearing Officer/Board of Adjustment.
4. Any expansion or intensification of use shall require a new use permit to be approved.
5. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
6. The applicant shall comply with all provisions of the Zoning and Development Code with respect to signs. No display of portable signs, banner signs, pennants, flags, balloons, or inflatable signs shall be allowed.

HISTORY & FACTS:

None pertinent to this case.

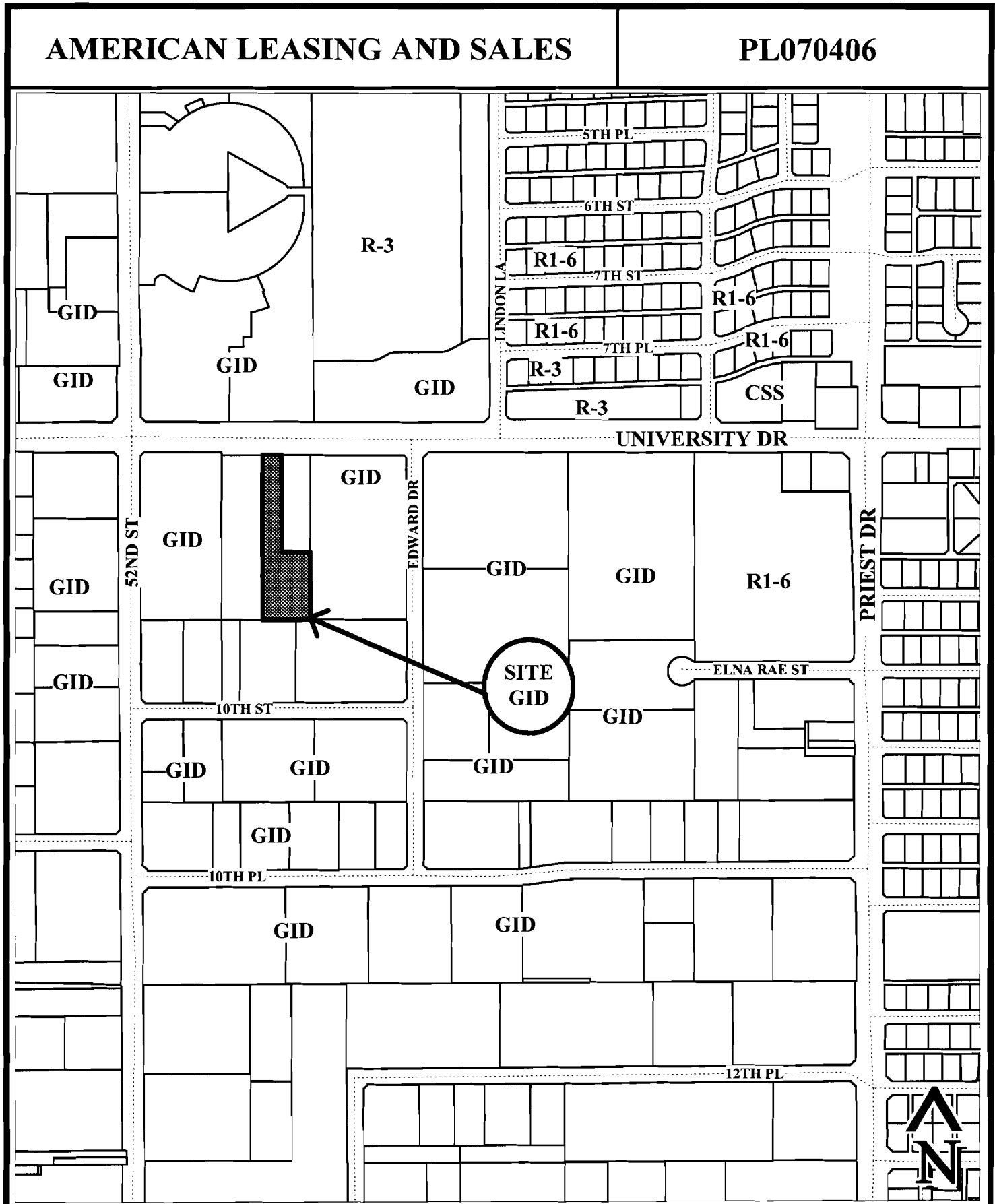
DESCRIPTION:

Owner – PS Business Parks
Applicant – James Lichty/JSL Enterprises Inc.
Existing Zoning – GID, General Industrial District
Existing Suite – 9,396 s.f.

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Chapter 3, Section 3-302
Permitted Use in Office/Industrial Districts – Table 3-302A – Sales/Rental (indoor or outdoor) in GID, General Industrial District requires a use permit.

Part 6, Chapter 3, Section 6-308
Use Permit

AMERICAN LEASING AND SALES
PL070406




AMERICAN LEASING AND SALES (PL070406)

JSL Enterprises Inc DBA American Leasing and Sales

City Of Tempe

Re: Use Permit

1769 W University Dr. suite 182

Tempe AZ 85281

Use will be primarily short term storage of vehicles purchased at General Motors and Chrysler factory sales waiting to be shipped to dealers in the Midwest. We are a purchasing agent for 5 new car dealers in Kansas and Missouri. Retail sales will be minimal, most will be internet sales. Inventory on hand at a time will average around 40 vehicles which will be stored all inside of warehouse.

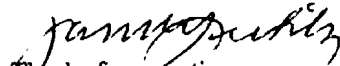
Suite 182 is in the back of PS Business Park. There is no show room or street signs to attract drive by customers. Most all sales are by appointment therefore minimum traffic. There will be no repairing body or mechanical work done onsite. So there will be no odor or gases from solvents or paint.

Employees will consist of 4 purchasing and sales agents, 1 title clerk, and one warehouse manager. PS Business Park allows for three parking spaces per 1000 feet of leased space. That entitles us to 28 parking spaces outside. Our use would only be a small amount of those spaces using them only for customers and employees.

Hours of operation will be Monday through Friday 8 am till 6 pm Saturdays will be from 9 am till 1 pm.

PS Business Park have other automotive and motorcycle mixed retail and rental uses there. We believe we will not increase any significant vehicle or pedestrian traffic. The entrance for vehicles to enter the warehouse is from 52nd Street or Edward Dr. because suite 182 is in the back of the complex. And the entrance to the warehouse is in the rear of the building.

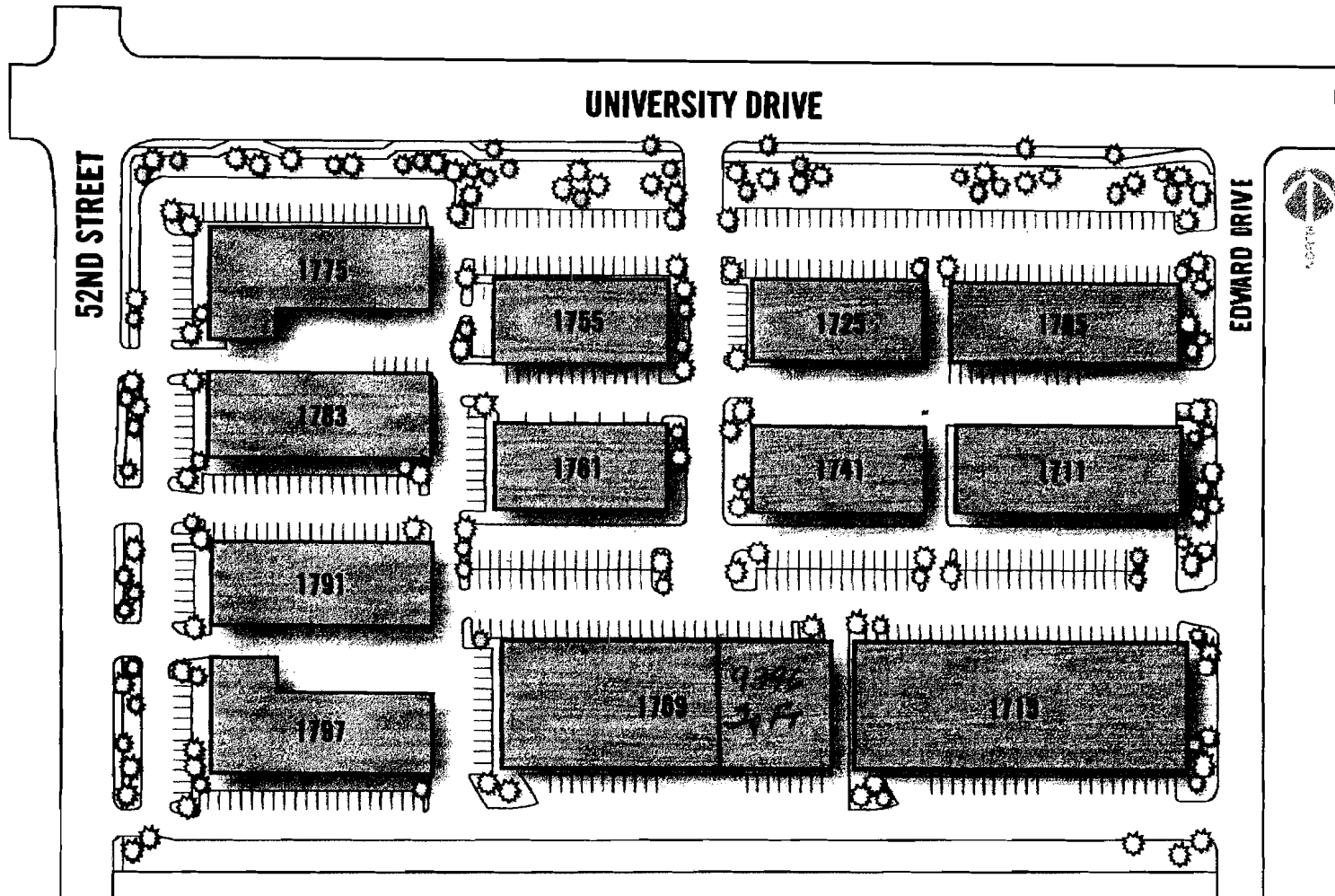
Most advertising will be by internet sources. No street signage or display of vehicles for sale will be done.


Thanks for your time,
James R. Lichty

University I

1705-1797 WEST UNIVERSITY DRIVE • TEMPE, ARIZONA

SITE PLAN:



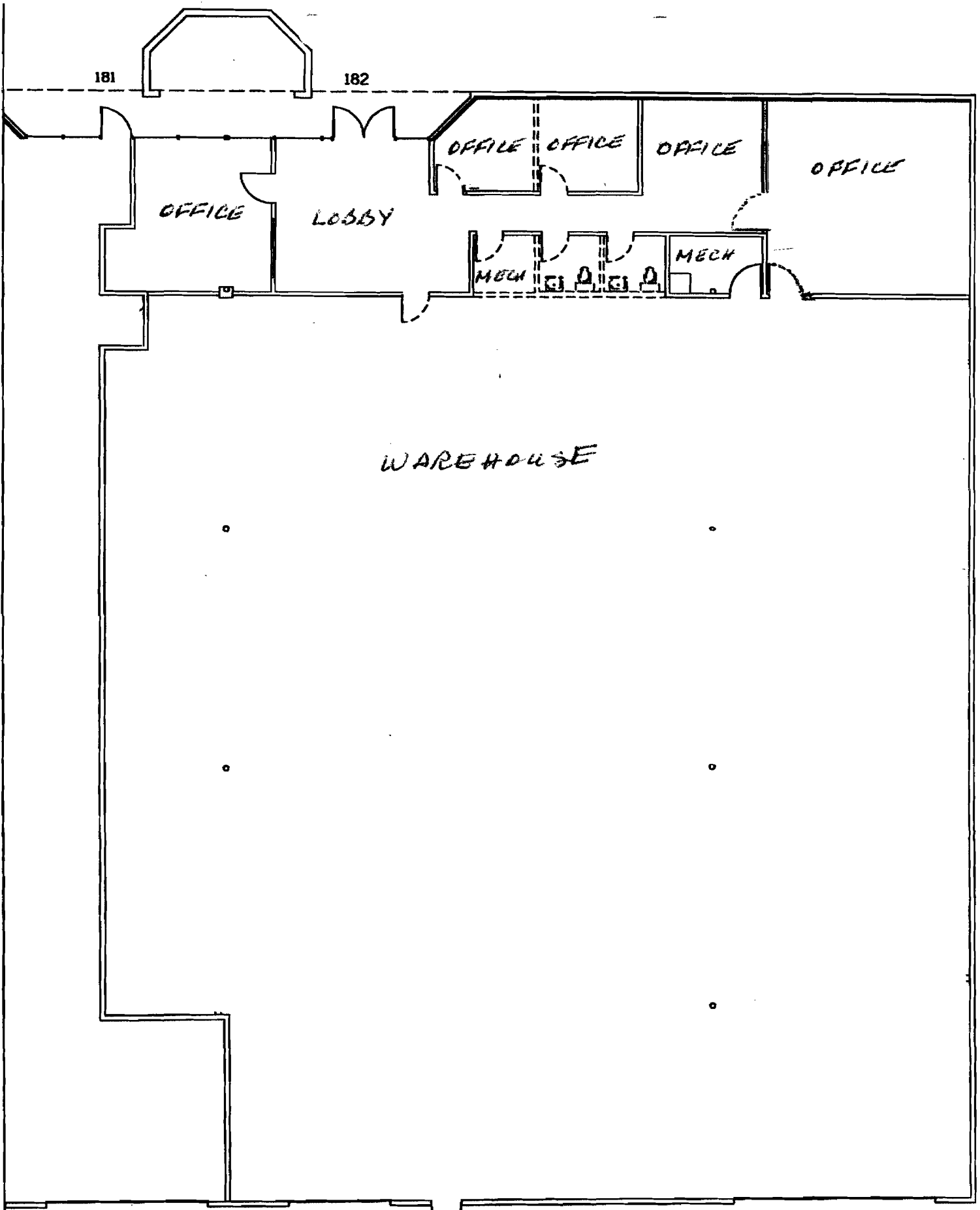
PS BUSINESS PARKS

www.psbusinessparks.com
Leasing Office: (480) 967-7998

FOR LEASING CONTACT:



MATT FREDRICK
(602) 912-3532
mfredrick@lee-associates.com
CHRIS McCLURG
(602) 954-3766
cmccclurg@lee-associates.com



P.S. BUSINESS PARK
1769 W. UNIVERSITY DR.
TEMPE, AZ.



SUITE 182

PRELIMINARY SPACEPLAN
MACKIN IMAGING

1/5/07
T291-068

0 12 6 12
GRAPHIC SCALE



AMERICAN LEASING AND SALES

1769 W UNIVERSITY DR

PL070406

FRONT OF SUITE: VIEW TO SOUTH